



BellSouth Telecommunications, Inc.

333 Commerce Street  
Suite 2101  
Nashville, TN 37201-3300

[guy.hicks@bellsouth.com](mailto:guy.hicks@bellsouth.com)

Guy M. Hicks  
General Counsel

615 214-6301  
Fax 615 214-7406

January 10, 2001

VIA HAND DELIVERY

David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re: *Adelphia Business Solutions of Tennessee, L.P. and AVR, L.P. d/b/a Hyperion of Tennessee, L.P., Inc. for Arbitration with BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996.*  
Docket No. 00-00927

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's First Request for Production of Documents and First Set of Interrogatories to Adelphia. Copies of the enclosed are being provided to counsel of record.

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to be "Guy M. Hicks".

Guy M. Hicks

GMH:ch  
Enclosure

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee**

In Re: *Adelphia Business Solutions of Tennessee, L.P. and AVR, L.P. d/b/a Hyperion of Tennessee, L.P., Inc. for Arbitration with BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996.*

Docket No. 00-00927

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS  
TO ADELPHIA BUSINESS SOLUTIONS OF TENNESSEE, L.P.**

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests Adelphia Business Solutions of Tennessee, L.P. ("Adelphia") to provide documents in response to the following Requests for Production of Documents by January 12, 2001.

**REQUESTS**

**REQUEST NO. 1:** Please produce copies of all documents identified in your response to Interrogatory No. 2.

**RESPONSE:**

**REQUEST NO. 2:** Please produce copies of all documents identified in your response to Interrogatory No. 3.

**RESPONSE:**

**REQUEST NO. 3:** Please produce copies of any and all reports authored by any expert listed in your response to Interrogatories Nos. 2 and 3, including any drafts, notes, work papers, summaries of compilations thereof.

**RESPONSE:**

**REQUEST NO. 4:** For each service identified in response to Interrogatory No. 5, please provide any and all product descriptions and marketing materials associated with the service.

**RESPONSE:**

**REQUEST NO. 5:** For each service identified in response to Interrogatory No. 5, please provide the current effective and canceled tariff pages (or proposed or illustrative tariff pages) for the service.

**RESPONSE:**

**REQUEST NO. 6:** Please produce any documents which support your response to Interrogatory No. 6.

**RESPONSE:**

**REQUEST NO. 7:** Please produce all documents which support your response to Interrogatory No. 7 .

**RESPONSE:**

**REQUEST NO. 8:** Please produce all documents which support your response to Interrogatory No. 8 .

**RESPONSE:**

**REQUEST NO. 9:** Please produce all documents which support your response to Interrogatory No. 9 .

**RESPONSE:**

**REQUEST NO. 10:** Please produce all documents which support your response to Interrogatory No. 10 .

**RESPONSE:**

**REQUEST NO. 11:** Please produce all documents which support your response to Interrogatory No. 11 .

**RESPONSE:**

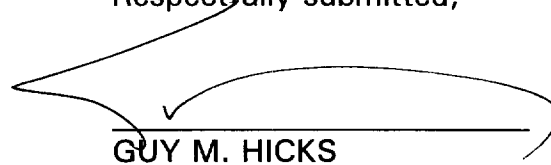
**REQUEST NO. 12:** Please produce all documents which support your response to Interrogatory No. 12 .

**RESPONSE:**

**REQUEST NO. 13:** Please produce all documents which support your response to Interrogatory No. 16 .

**RESPONSE:**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Guy M. Hicks", is written over a horizontal line. The signature is stylized with a large, sweeping loop at the end.

GUY M. HICKS  
333 Commerce Street, #2101  
Nashville, Tennessee 37201  
(615) 214-6301

R. DOUGLAS LACKEY  
PATRICK W. TURNER  
675 West Peachtree Street, N.E., #4300  
Atlanta, GA 30375

**CERTIFICATE OF SERVICE**

I hereby certify that on January 10, 2001, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

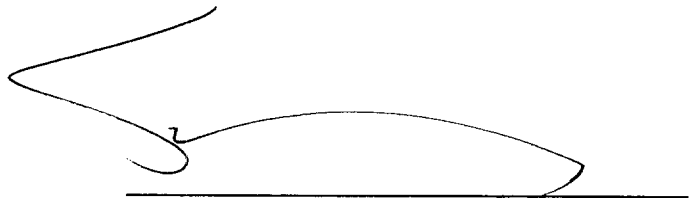
Henry Walker, Esquire  
Boult, Cummings, et al.  
P. O. Box 198062  
Nashville, TN 37219-8062

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

Michael L. Shor, Esq.  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 300  
Washington, D. C. 20007

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

John Glicksman, Esq.  
Adelphia Business Solutions  
One North Main Street  
Coudersport, PA 16915

A handwritten signature in black ink, consisting of a large, stylized 'S' or 'Z' shape followed by a horizontal line.

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee**

In Re: *Adelphia Business Solutions of Tennessee, L.P. and AVR, L.P. d/b/a Hyperion of Tennessee, L.P., Inc. for Arbitration with BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996.*

Docket No. 00-00927

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
FIRST SET OF INTERROGATORIES TO ADELPHIA  
BUSINESS SOLUTIONS OF TENNESSEE, L.P.**

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests Adelphia Business Solutions of Tennessee, L.P. ("Adelphia") to provide answers in response to the following Interrogatories by January 12, 2001 pursuant to the Agreed Order to Establish Procedural Schedule.

**INSTRUCTIONS**

- (1) If any response required by way of answer to these Interrogatories is considered to contain confidential or protected information, please furnish this information subject to a protective agreement.
- (2) If any response required by way of answer to these Interrogatories is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion.
- (3) These Interrogatories are to be answered with reference to all information in your possession, custody or control or reasonably available to you.

(4) If any Interrogatory cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of an Interrogatory, answer all parts of the Interrogatory to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

(5) These Interrogatories are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these Interrogatories subsequently become known or should your initial response be incorrect or untrue.

#### **DEFINITIONS**

(1) "Adelphia" means Adelphia Business Solutions of Tennessee, L.P. any predecessors in interest, its parent, subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Adelphia.

(2) "You" and "your" refer to Adelphia.

(3) "Person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

(4) "And" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these Interrogatories information that would not otherwise be brought within their scope.



(5) "Identification" or "identify" when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

(6) "Arbitration Petition" refers to the petition filed by Adelphia on October 18, 2000, requesting arbitration under Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 ("Act").

(7) "Incumbent Local Exchange Carrier" refers to the term as defined in Section 251(h) of the Act, as codified in 47 U.S.C. § 251(h).

### **INTERROGATORIES**

1. Please identify all persons participating in the preparation of the answers to these Interrogatories or supplying information used in connection therewith.

2. Please identify each person whom you expect to call as an expert witness in this proceeding, state the subject matter on which each expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify, a summary of the grounds for each opinion and identify all documents which the expert has reviewed or relied upon for the facts and opinions to which he or she will testify.

3. Please identify each person whom you have consulted as an expert in anticipation of this arbitration or in preparation for a hearing in this arbitration who is not expected to be called as a witness. With respect to each such expert, please state the facts known by the expert, state the opinions held by the expert concerning any matters raised in the Arbitration Petition, and identify all documents which the expert has reviewed in anticipation of this arbitration or in preparation for a hearing in this arbitration.

4. Persons testifying on behalf of Adelphia in other states have stated that "Virtual NXXs are used by carriers to provide a local number to customers in calling areas in which the customer is not physically located. Customers (of both the ILECs and the CLECs) who are physically located in that calling area are then able to place local calls to the Virtual NXX customer." Does Adelphia offer or plan to offer a Virtual NXX service as described above, or any services that are similar to such a Virtual NXX service, to its customers in the State of Tennessee?

5. If your response to Interrogatory No. 4 was anything other than an unqualified "no," please identify each and every Virtual NXX service (or services

that are similar to Virtual NXX service) Adelphia offers or plans to offer its customers in the State of Tennessee.

6. For each service identified in response to Interrogatory No. 5, please provide a technical description of how the service is provided to customers, including diagrams and descriptions of ancillary features (e.g., collocation of customer equipment).

7. For each service identified in response to Interrogatory No. 5, please explain in detail how Adelphia's switch routes a call placed to an Adelphia customer that has been assigned a Virtual NXX telephone number. Include in your response a description of any translations or similar functions that are performed by Adelphia's switch to route such a call.

8. For each service identified in response to Interrogatory No. 5, please state whether or not the calling party experiences any dialing delays when placing a call to an Adelphia customer that has been assigned a Virtual NXX telephone number. If any such delays are experienced, please explain in detail the nature of the delay, the duration of the delay, and the reason for the delay.

9. For each service identified in response to Interrogatory No. 5, please state whether or not the calling party gets a second dial tone when placing a call to an Adelphia customer that has been assigned a Virtual NXX telephone number. If the calling party gets a second dial tone, please explain in detail the reason for the second dial tone, and explain in detail any and all actions the calling party must take upon receiving the second dial tone to complete the call.

10. For each service identified in response to Interrogatory No. 5, please state whether or not the calling party is required to enter an access code, an authorization code, another telephone number, or any other information in order to reach the Adelphia customer with a Virtual NXX telephone number? If so, please identify any and all additional information the calling party is required to enter, and explain in detail the reason the information is required and the use to which Adelphia puts the information in order to complete the call.

11. Are your answers to Interrogatories Nos. 4-10 different with regard to your operations in the State of Tennessee than they would be with regard to your operations in any other state in the BellSouth region?

12. If your response to Interrogatory No. 11 is anything other than an unqualified "no," please identify in detail the manner in which your answers are different with regard to your operations in the State of Tennessee than they would be with regard to your operations in any other state in the BellSouth region, and explain in detail the reason for the differences.

13. For each service identified in response to Interrogatory No. 5, please identify the number of customers who subscribe to or purchase the service.

14. Has Adelphia assigned a Virtual NXX telephone number to any customer that is not an Internet service provider ("ISP") and/or enhanced service provider ("ESP")?

15. Would Adelphia refuse to assign a Virtual NXX telephone number to any customer that is not an ISP and/or ESP?

16. For each service identified in response to Interrogatory No. 5, please identify all rates that are or could be charged to customers purchasing the service.

17. Assume that a BellSouth end-user calls an Adelphia end-user that is not an ESP and/or ISP and that has been assigned a virtual NXX telephone number. Does Adelphia agree that the call originates at the physical location of the BellSouth end user?

18. If your answer to Interrogatory No. 17 is anything other than an unqualified "yes," please state with specificity where Adelphia contends the call originates and provide a detailed factual and legal explanation of your answer.

19. Assume that a BellSouth end-user calls an Adelphia end-user that is not an ESP and/or ISP and that has been assigned a virtual NXX telephone number. Does Adelphia agree that the call terminates at the physical location of the Adelphia end user?

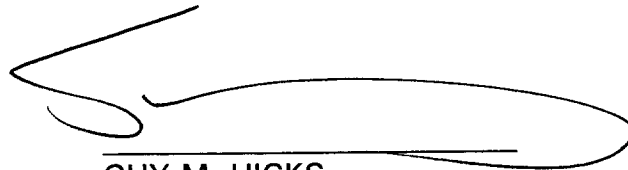
20. If your answer to Interrogatory No. 19 is anything other than an unqualified "yes," please state with specificity where Adelphia contends the call terminates and provide a detailed factual and legal explanation of your answer.

21. Does Adelphia assign numbers under its Virtual NXX service to customers who are located in a different state than the Adelphia switch where the NXX itself is homed or located?

22. Does Adelphia assign numbers under its Virtual NXX service to customers who are located in a different local access transport area ("LATA") than the Adelphia switch where the NXX itself is homed or located?

23. Does Adelphia assign numbers under its Virtual NXX service to customers who are located in a different local calling area, as set forth in BellSouth's tariffs filed in Tennessee, than the Adelphia switch where the NXX itself is homed or located?

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Guy M. Hicks", written over a horizontal line.

GUY M. HICKS  
333 Commerce Street, #2101  
Nashville, Tennessee 37201  
(615) 214-6301

R. DOUGLAS LACKEY  
PATRICK W. TURNER  
675 West Peachtree Street, N.E., #4300  
Atlanta, GA 30375

## CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2001, a copy of the foregoing document was served on the parties of record, via the method indicated:

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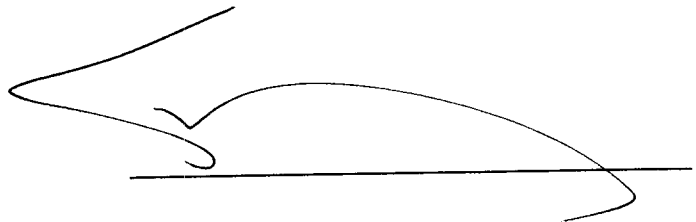
Henry Walker, Esquire  
Boult, Cummings, et al.  
P. O. Box 198062  
Nashville, TN 37219-8062

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Michael L. Shor, Esq.  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 300  
Washington, D. C. 20007

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

John Glicksman, Esq.  
Adelphia Business Solutions  
One North Main Street  
Coudersport, PA 16915

A handwritten signature in black ink, consisting of a stylized, cursive script. The signature is written over a horizontal line that serves as a baseline. The signature starts with a large, sweeping 'S' shape, followed by several loops and a final flourish that extends to the right.